

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - THURSDAY, MAY 16, 1974  
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING  
COMMUNITY CONCOURSE

Present--Councilmen Johnson, O'Connor, Hubbard, Morrow, and Mayor Wilson.  
Absent--Councilmen Williams, Martinet, Ellis, and Bates.  
Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 8:44 a.m.

(Item 1)

Roll Call was taken.

(Item 2)

Mayor Wilson introduced the Reverend Richard C. Smith, Pastor of the Otay Mesa United Church of Christ, who gave the Invocation.

(Item 3)

Councilwoman O'Connor led the Pledge of Allegiance.

The Council considered Item 114 out of order.

(Item 114)

A proposed Resolution, continued from the Meeting of May 2, 1974, at City Attorney's request, authorizing a lease agreement with James C. Pagni and John T. Worcester for a term of 25 years commencing May 2, 1974 for the San Carlos Golf Course, was presented.

City Manager Moore answered questions directed by the Council.

On motion of Councilwoman O'Connor, the proposed Resolution was continued one week to Thursday, May 23, 1974, at City Manager's request.

Councilman Williams entered the Chamber.

The Council considered the Consent Agenda, which consisted of Items 7, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31.

The following Ordinance was introduced at the Meeting of May 2, 1974.

Reading in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and there was available for the consideration of each member of the Council and the public prior to the day of its passage, a written or printed copy of said Ordinance.

The following Ordinance was adopted on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, and Mayor Wilson. Nays-None. Absent-Councilmen Martinet, Ellis, and Bates.

(Item 7)

ORDINANCE 11320 (New Series), amending Section 2 of Ordinance No. 10802 (New Series), adopted March 16, 1972, incorporating Lots 24 through 37, Block 212; Lots 21 through 37, Block 213; Lots 21 through 36, Block 214; and Lots 5 through 20, Block 239, all in Pacific Beach, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code.

(Item 9)

The following Resolutions, relative to awarding contracts, were adopted on motion of Councilman Hubbard:

RESOLUTION 210596, GFA Electric for modification of traffic signal and safety lighting systems at the intersections of 32nd Street and Harbor Drive; and at 32nd Street and Norman Scott Road/Wabash Boulevard for the sum of \$52,651; authorizing the expenditure of \$68,175 out of Gas Tax Fund 220 and \$3,600 out of Capital Outlay Fund 245 for said purpose and related costs;

RESOLUTION 210597, Patrick J. Timmins Construction Inc. for Central Police Station improvements, Phases 3, 4 & 5, Schedule IV for the sum of \$81,000; authorizing the expenditure of \$47,500 out of Capital Outlay Fund 245 for said purpose and related costs; and

RESOLUTION 210598, B. Hayman Company for the purchase of one each Triplex power lawn mower for an actual cost, including tax and terms, of \$2,573.68.

(Item 10)

RESOLUTION 210599, cancelling Item 4 of Section I (SC800 liquid asphalt) from the contract for asphaltic products with Sim J. Harris Company awarded by Resolution 208355; authorizing the Purchasing Agent to advertise for bids for furnishing SC800 liquid asphalt as required for a 90-day period beginning June 10, 1974, in accordance with Specifications Document No. 747192, was adopted on motion of Councilman Hubbard.

(Item 11)

The following Resolutions, relative to inviting bids, were adopted on motion of Councilman Hubbard:

RESOLUTION 210600, construction and/or modification of traffic signal and safety lighting systems on Sixteenth Street between Broadway and Market Street, on India Street at Laurel Street, and miscellaneous modifications at various locations, in accordance with Specifications Document No. 747193; and

RESOLUTION 210601, Paradise Hills Park Multi-sports Field drainage, in accordance with Specifications Document No. 747194.

(Item 12)

RESOLUTION 210602, authorizing the Purchasing Agent to advertise for sale and sell 27 portable table risers no longer needed or desirable for use by the City, was adopted on motion of Councilman Hubbard.

(Item 14)

The following Resolutions, relative to the following final subdivision map, were adopted on motion of Councilman Hubbard:

RESOLUTION 210603, authorizing an agreement with Valley Meadows North for completion of improvements in Valley Meadows North, a one-lot subdivision located easterly of Mission Gorge Road, northerly of Zion Avenue; and

RESOLUTION 210604, approving the final map of Valley Meadows North.

(Item 15)

RESOLUTION 210605, accepting the work done and authorizing a Notice of Completion in Calgrove Industrial Park subdivision, was adopted on motion of Councilman Hubbard.

(Item 16)

RESOLUTION 210606, granting the petition for paving and otherwise improving the alley, Block 2, North Shore Highlands; directing the City Manager to furnish description and plat of the district, was adopted on motion of Councilman Hubbard.

(Item 17)

RESOLUTION OF INTENTION 210607, electing to proceed under the provisions of the Street Vacation Act of 1941, declaring the intention of the City Council to vacate Ironwood Road southwesterly of Scripps Ranch Boulevard and fixing a time and place for hearing thereof, was adopted on motion of Councilman Hubbard.

(Item 18)

RESOLUTION OF INTENTION 210608, electing to proceed under the provision of the Street Vacation Act of 1941, declaring the intention of the City Council to vacate the alley in Block 17, Del Mar Heights, and fixing a time and place for hearing thereof, was adopted on motion of Councilman Hubbard.

(Item 19)

RESOLUTION 210609, vacating a sewer easement affecting Lot 81, Las Alturas Villa Sites, being unnecessary for present or prospective public use by the City, was adopted on motion of Councilman Hubbard.

(Item 20)

RESOLUTION 210610, authorizing the expenditure of \$44,200 out of Gas Tax Fund 219, for the purpose of providing funds for the City's contribution toward the 1911 Act improvement of Bonita Drive; rescinding Resolution 209360, was adopted on motion of Councilman Hubbard.

(Item 21)

RESOLUTION 210611, authorizing the City Manager to execute an agreement with the Department of Finance of the State of California, relating to preparation of a population enumeration for the City of San Diego, was adopted on motion of Councilman Hubbard.

(Item 22)

RESOLUTION 210612, authorizing the use of City Forces to do all necessary work in conjunction with the installation of four ornamental safety lights on Palm Avenue at 17th Street and Palm Avenue at 18th Street and the undergrounding of the traffic signal and safety lighting metered services at Palm Avenue and 19th Street; authorizing the expenditure of \$4,800 out of Capital Outlay Fund 245 for said purpose and related costs, was adopted on motion of Councilman Hubbard.

(Item 23)

RESOLUTION 210613, approving Change Order No. 1, issued in connection with the contract with GFA Electric for modification of the traffic signal and safety lighting systems at the intersections of 32nd Street and Harbor Drive, and 32nd Street and Norman Scott Road/Wabash Boulevard; said changes amounting to an extension of time from 120 to 180 days from date of award of contract, was adopted on motion of Councilman Hubbard.

(Item 24)

RESOLUTION 210614, approving Change Order No. 1, issued in connection with the contract with M. P. Mitrovich for construction of Beech Street and G Street interceptor sewers; said changes amounting to an increase of \$10,613, was adopted on motion of Councilman Hubbard.

(Item 25)

RESOLUTION 210615, authorizing the expenditure of \$944.76 from Gas Tax Fund 220 for expenses incurred for Landis Street widening; supplementing Resolution 199637 in said amount, was adopted on motion of Councilman Hubbard.

(Item 26)

RESOLUTION 210616, authorizing the City Manager to apply to ACTION, Washington, D. C., for a six-month extension of the ACTION Volunteer Programs Coordinator Program from May 22, 1974, to November 22, 1974, and if the extension is approved, to modify the existing agreement with ACTION as appropriate, was adopted on motion of Councilman Hubbard.

(Item 27)

RESOLUTION 210617, confirming the following reappointments by the Mayor to the Old San Diego Planned District Review Board for two-year terms expiring March 1, 1976: Robert D. Ferris, Chairman, Raymond F. Hall, Jr., and Robert N. Gadbois, was adopted on motion of Councilman Hubbard.

(Item 28)

RESOLUTION 210618, excusing Councilmen Gil Johnson and Lee Hubbard from City Council meeting of May 23, 1974, was adopted on motion of Councilman Hubbard.

(Item 29)

RESOLUTION 210619, authorizing a representative of the Police Department to attend the Personal Growth Seminar presented by the University of Southern California at La Jolla, California, during the period May 22-24, 1974; authorizing the expenditure of \$199 from the General Purpose Revolving Fund 534, for the above purpose; the total cost, including 60% salary expense, will be reimbursed by the Peach Officers' Standards and Training (POST), was adopted on motion of Councilman Hubbard.

(Item 30)

RESOLUTION 210620, authorizing a representative of the Police Department to travel to San Mateo, California, during the period May 20-24, 1974, to attend the training program in Crash Injury Management; authorizing the expenditure of \$241 from the General Purpose Revolving Fund 534, for the above purpose; the total cost of said travel, excluding salary, shall be reimbursed by Dunlap and Associates, Inc., was adopted on motion of Councilman Hubbard.

(Item 31)

RESOLUTION 210621, declaring the City Council's support and passage of Federal Community Block Grant legislation utilizing the Senate variable entitlement formula giving credit for past participation in Housing and Urban Development categorical programs contained in SB 3066 so that the continuity of the program and its objectives may continue unimpeded into fiscal year 1975, was adopted on motion of Councilman Hubbard.

(Item 13)

Three Resolutions relative to the final subdivision map of Mira Mesa North Unit I, a 126-lot subdivision located on the northerly side of Zapata Avenue, easterly of Camino Ruiz: (a) Authorizing an agreement with Pardee Construction Company, for completion of improvements; (b) Accepting the exchange of development rights by Pardee Construction Company, owner of Mira Mesa North Unit I, and Lot 1675, Mira Mesa Verde Unit 13-A; and (c) Approving the final map and acknowledging receipt of subdivider's assurance of compliance with the affirmative marketing program, were presented.

City Manager Moore and Ron Lochhead, Community Development Department, answered questions directed by the Council.

The following Resolutions were adopted on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, and Mayor Wilson. Nays-Councilman Morrow. Absent-Councilmen Martinet, Ellis and Bates.

(Item 13 - Continued)

RESOLUTION 210622, authorizing an agreement with Pardee Construction Company for completion of improvements in Mira Mesa North Unit 1, a 126-lot subdivision located on the northerly side of Zapata Avenue, easterly of Camino Ruiz;

RESOLUTION 210623, accepting the exchange of development rights by Pardee Construction Company, owner of Mira Mesa North Unit 1, and Lot 1675, Mira Mesa Verde Unit 13-A; and

RESOLUTION 210624, approving the final map of Mira Mesa North Unit 1 and acknowledging receipt of subdivider's assurance of compliance with the affirmative marketing program.

Councilman Bates entered the Chamber.

(Item 32)

A proposed Resolution declaring Magnolia Company, subdivider of Surf and Turf Unit 1 Subdivision, to be in default under terms and conditions of agreement entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdivider and to United Pacific Ins. Co.; authorizing the City Manager to complete, or cause to be completed, said improvements, was presented.

Attorney Alex Harper and Mr. Sumption appeared to speak in opposition to the proposed Resolution.

City Attorney Teaze answered questions directed by the Council.

On motion of Councilman Morrow, the matter was continued two weeks to May 30, 1974 for clarification of legalities.

By Unanimous Consent granted to Councilman Williams, a proposed Resolution directing the City Attorney to seek an injunction enjoining the County and State from resuming spraying of pesticides within the City of San Diego to control Japanese Beetles until a need for such action is determined and viable alternatives have been considered, was presented and then set for public hearing at 4:00 p.m., Time Certain, on motion of Councilman Morrow.

(Item 5)

Mayor Wilson welcomed fifty students from Marston Junior High School, who had recently entered the Chamber, accompanied by Mr. Merrill Ream.

(Item 6)

A communication from Ray Nelson, representing the MacDowell Elementary School students, faculty and P.T.A., requesting permission to present petitions to the Council relative to changing the name of Arvinels Neighborhood Park to MacDowell Neighborhood Park, was presented.

Ray Nelson appeared to speak regarding said communication.

On motion of Councilwoman O'Connor, the communication was referred to the City Manager and Park and Recreation Board for a report back to Mr. Nelson, the student body and the Council.

(Item 8)

A proposed Resolution, continued from the Meeting of April 18, 1974, for further review, employing Franklin T. Hamilton as special bond counsel for Park-Northeast Open Space Park (Park District No. 7) under the provisions of the Municipal Improvement Act of 1913 and the San Diego Park District Procedural Ordinance of 1969; determining that in the event the proposed proceedings fail to materialize or are abandoned before assessments have been levied and collected, the City shall be liable for payment for services and costs incurred in said employment not to exceed \$3,700; authorizing the expenditure of not to exceed \$3,700 from Environmental Growth Fund 2505 if said projects are not successful, was presented.

Jim McLaughlin, Community Development Department, and Assistant City Attorney Teaze answered questions directed by the Council.

The Council discussed the item.

On motion of Councilman Bates, the matter was continued two weeks to May 30, 1974 to allow for an assessment and a meeting with the property owners.

The City Manager was directed to have his staff get the assessments ready and meet with the property owners regarding said assessments.

(Item 4)

Mayor Wilson welcomed seventy-five students from Toler Elementary School, accompanied by Mrs. Irene Netter.

Mayor Wilson recessed the Meeting at 10:05 a.m. Upon reconvening at 10:37 a.m., the roll call showed Councilmen Williams, Martinet, and Ellis absent.

(Item 100 - PRD No. 77)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meeting of November 13, 1973, for study of assessment district for open space, on the appeal of Stadium Valley Associates, by Donald R. Worley, attorney, from the decision of the Planning Commission in failing to approve the application of Stadium Valley Town Homes, owner/permittee, under Planned Residential Development Permit No. 77, to construct 52 dwelling units with a swimming pool on 12.38 acres, located west of Sandrock Road between the easterly extensions of Kobe Place and Kobe Way, on Lot A, Rancho Cabrillo Unit 6, and a portion of Lot 40, Rancho Mission of San Diego, in the R-1-5 Zone. It was reported that no written protests had been received.

Ken Klein, Planning Department, and Floyd Moore, Community Development Department, answered questions directed by the Council.

Attorney Donald R. Worley appeared to speak in favor of the proposed appeal.

Ted. Gavitt, Sierra Mesa Planning Group, appeared to speak in opposition to the proposed appeal.

Attorney Worley offered to stipulate that the offer of \$70,000 would be kept open for a six month period of time to allow for formation of an assessment district.

Chief Deputy City Attorney Conrad answered questions directed by the Council.

On motion of Councilman Morrow, the matter was continued two weeks to May 30, 1974 for the City Attorney to prepare an option agreement and the staff to prepare a schedule for implementation of assessment district proceedings and report back to Council before May 30, 1974.

(Item 101)

The hour of 8:30 a.m. having arrived the Mayor announced this was the time and place set for the hearing, continued from the Meeting of May 9, 1974, at appellant's request, on the appeal of Norman R. Atkins, attorney representing Charles Long, from the decision of the Chief of Police in suspending the license to operate the Gaiety Theater at 818 Fifth Avenue, under the provisions of Section 33.0401 of the San Diego Municipal Code.

Attorney Norman Atkins appeared to speak in favor of the proposed appeal.

Deputy City Attorney Youmans answered questions directed by the Council.

On motion of Councilman Bates, the matter was continued indefinitely, by the following vote: Yeas-Councilmen Johnson, O'Connor, Morrow, Bates, and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilmen Williams, Martinet, and Ellis.

(Item 102 - CASE NO. 11-74-1)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning Lot 1, and portions of Lots 2, 5 & 6, Block 6, Loma Grande, located on the east side of Fourth Avenue between Walnut Avenue and Upas Street, from Zones R-4 and C to Zone CO. It was reported that two letters in favor of the proposed rezoning had been received.

Ken Klein, Planning Department, answered questions directed by the Council.

Councilman Morrow left the Chamber.

The hearing was closed on motion of Councilwoman O'Connor.

A proposed Ordinance, incorporating Lot 1, and portions of Lots 2, 5 and 6, Block 6, Loma Grande, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code, and repealing Ordinance Nos. 12988 and 12987, both approved October 20, 1930, of the Ordinances of The City of San Diego, insofar as the same conflict herewith, was introduced on motion of Councilwoman O'Connor by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Williams, Morrow, Martinet, and Ellis.

RESOLUTION 210625, certifying that the information contained in Environmental Negative Declaration No. 73-10-1025 has been reviewed and considered, was adopted on motion of Councilwoman O'Connor.

(Item 103 - DRAWING NO. C-403)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matters of: (a) Proposed Ordinance amending the San Diego Municipal Code by adding Division 3, La Jolla Shores Planned District Regulations, to Chapter X, Article 3, which establishes restrictions and regulations for the La Jolla Shores Precise Plan Area; and repealing the existing land use zoning within the La Jolla Shores Precise Plan Area; and (b) Adopting the La Jolla Shores Design Manual, which is intended to provide design guidelines for the La Jolla Shores Planned District Regulations.

The La Jolla Shores Precise Plan Area encompasses approximately 1400 acres and is generally bounded on the north by the University of California at San Diego (UCSD), on the east by Gilman Drive and I-5, on the south by Soledad Park, Hillside Drive, Soledad Avenue, Sierra Mar Drive, Torrey Pines Road and Princess Street (extended to the Pacific Ocean), and on the west by the Pacific Ocean. It was reported that one letter in favor and one letter in opposition had been received.



(Item 103 - Continued)

The Council discussed the Item.

On motion of Councilman Johnson, Council rules were suspended to permit additional time for this hearing.

By common consent, the hearing was trailed to 2:00 p.m.

(Item 104)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on vacating "A" Street between 12th Avenue and vacated 14th Street and between 16th and 17th Streets and 13th Street between Russ Boulevard and A Street - Resolution of Intention 210374.

City Manager Moore answered questions directed by the Council.

Councilman Morrow entered the Chamber.

The hearing was closed on motion of Councilman Bates and the following Resolution was adopted:

RESOLUTION 210626, vacating A Street between 12th Avenue and vacated 14th Street and between 16th and 17th Streets; and 13th Street between Russ Boulevard and A Street.

(Item 105)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the proposed Ordinance amending Chapter VII, Article 2, Section 72.21 of the San Diego Municipal Code relating to automobiles for hire - rates of fare.

The motion of Councilman Bates to close the hearing and introduce the proposed Ordinance received no vote at this time.

Manley Edwards, rate consultant, spoke regarding the proposed Ordinance.

The vote was then taken on Councilman Bates' motion to close the hearing and introduce the proposed Ordinance and the following Ordinance, amending Chapter VII, Article 2 of the San Diego Municipal Code relating to automobiles for hire - rates of fare, was introduced by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Williams, Martinet, and Ellis.

The following Ordinance was introduced at the Meeting of May 2, 1974.

Reading in full was dispensed with by a vote of not less than a majority of the members elected to the Council and there was available for the consideration of each member of the Council and the public prior to the day of its passage, a written or printed copy of said Ordinance.

The following Ordinance was adopted on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Williams, Martinet, and Ellis.

(Item 106)

ORDINANCE 11321 (New Series), incorporating a portion of Pueblo Lot 239, into CA-S Zone, as defined by Section 101.0428 of the San Diego Municipal Code, and repealing Ordinance 34 (New Series), adopted September 12, 1932, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

The following Ordinance was introduced at the Meeting of May 2, 1974.

Reading in full was dispensed with by a vote of not less than a majority of the members elected to the Council and there was available for the consideration of each member of the Council and the public prior to the day of its passage, a written or printed copy of said Ordinance.

The following Ordinance was adopted on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Bates, and Mayor Wilson. Nays-Councilman Morrow. Absent-Councilmen Williams, Martinet, and Ellis.

Mayor Wilson and Councilman Bates announced that they had cast courtesy votes, due to the absence of a full Council.

(Item 107)

Ordinance 11322 (New Series), incorporating Parcel B of Lot 2, Scripps Village Center Unit 2, into R-2A Zone as defined by Section 101.0410 of the San Diego Municipal Code, and repealing Ordinance No. 10038 (New Series), adopted May 8, 1969 of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

The following Ordinance was introduced at the Meeting of May 2, 1974.

Reading in full was dispensed with by a vote of not less than a majority of the members elected to the Council and there was available for the consideration of each member of the Council and the public prior to the day of its passage, a written or printed copy of said Ordinance.

The following Ordinance was adopted on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Bates, and Mayor Wilson. Nays-Councilman Morrow. Absent-Councilmen Williams, Martinet, and Ellis.

(Item 108)

ORDINANCE 11323 (New Series), amending Chapter VII, Article 2, of the San Diego Municipal Code, by amending Section 72.01, relating to taxicab Certificates of Public Convenience and Necessity.

The Council adjourned into Executive Session at 11:30 a.m. for the purpose of meeting with the Management Team to discuss labor negotiations and to discuss pending litigation, to reconvene at 2:00 p.m.

Upon reconvening at 2:06 p.m., the roll call showed Councilmen Martinet and Ellis absent.

(Item 109)

A proposed Ordinance, establishing a Schedule of Compensation for officers and employees of The City of San Diego for fiscal year 1974-75, was presented.

Deputy City Manager Blair answered questions directed by the Council.

The motion of Councilwoman O'Connor to introduce the proposed Ordinance received no vote at this time.

Rick Cummings appeared to speak regarding the proposed Ordinance.

Assistant Personnel Director Williams and City Manager Moore answered questions directed by the Council.

The vote was then taken on Councilwoman O'Connor's motion to introduce the proposed Ordinance, and the following Ordinance, establishing a Schedule of Compensation for officers and employees of The City of San Diego for fiscal year 1974-75, was introduced by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Martinet and Ellis.

The Council returned to consideration of Item 103.

(Item 103 - Continued)

Ken Klein, Planning Department, and Max Schmidt, Planning Department, answered questions directed by the Council.

Herbert Richmond, Richard Dahlberg, Althea Cochran, Tom Henry, Attorney John Hecht, Sidney Langer, and Nancy Martin appeared to speak in favor of the proposed Ordinance.

Mayor Wilson recessed the Meeting at 3:19 p.m. Upon reconvening at 3:38 p.m., the roll call showed Councilmen O'Connor, Williams, Martinet, Ellis, and Bates absent.

Councilman Williams entered the Chamber.

Councilwoman O'Connor entered the Chamber.

(Item 103 - Continued)

Ken Klein, Planning Department, outlined alternatives (a), (b), and (c) regarding administration of the proposed Ordinance.

Councilman Bates entered the Chamber.

Dr. William Orris, William Kellog, Martin Mosher, Richard Johnson, Victor Wasbin, John S. Garoutte, and Attorney Dessau Clarkson appeared to speak in opposition to the proposed Ordinance.

Councilman Morrow left the Chamber.

(Item 103 - Continued)

The motion of Councilman Johnson to close the hearing, introduce an Ordinance adding Division 3 to Chapter X, Article 3, San Diego Municipal Code, and repealing certain zoning ordinances in conflict therewith, incorporating alternate "b" as outlined by Ken Klein, that the Planning Director have the responsibility of decision making regarding issuance of permits and that an Advisory Board be formed to give advice to the Planning Director; and adopting items (b) and (c), received no vote at this time.

The Council continued to discuss the item.

The motion of Councilman Johnson to amend the proposed Ordinance on Page 17, Item 7, to include an expanded Area "F", passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Bates, and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilmen Morrow, Martinet, and Ellis.

The vote was then taken on Councilman Johnson's motion to close the hearing, introduce the proposed Ordinance and adopt items (b) and (c) and the following Ordinance, amending Chapter X, Article 3, of the San Diego Municipal Code, by adding thereto Division 3, La Jolla Shores Planned District, and Sections 103.0300 through 103.0306 and repealing certain zoning ordinances in conflict therewith, was introduced as amended, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Bates, and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilmen Morrow, Martinet, and Ellis. The following Resolutions were adopted by the same vote:

RESOLUTION 210627, adopting the La Jolla Shores Design Manual, which is intended to provide design guidelines for the La Jolla Shores Planned District; and

RESOLUTION 210628, certifying that the information contained in Environmental Negative Declaration No. 73-9-005C has been reviewed and considered.

The hour of 4:00 p.m. having arrived, the Mayor announced this was the time and place set for hearing testimony regarding the proposed Resolution directing the City Attorney to seek an injunction enjoining the County and State from resuming spraying of pesticides within the City of San Diego to control Japanese Beetles until a need for such action is determined and viable alternatives have been fully considered.

Councilman Morrow entered the Chamber.

Anthony M. Summers, Deputy Attorney General, appeared to speak regarding the proposed Resolution.

City Manager Moore answered questions directed by the Council.

The motion of Councilwoman O'Connor to file the proposed Resolution received no vote at this time.

Mayor Wilson recessed the Meeting at 5:28 p.m. Upon reconvening at 5:43 p.m., the roll call showed Councilmen Morrow, Martinet, and Ellis absent.

(Unanimous Consent - Continued)

Virginia Taylor appeared to speak in favor of the proposed Resolution and to request that the records of the Council meeting of April 2, 1974 be corrected, in regard to Mr. Little's testimony, to indicate that the Comprehensive Health Planning Organization was not in favor of the spraying. Mr. Little, who was present, stipulated to the correction.

Councilman Morrow entered the Chamber.

Melvin Shapiro and Laura Tallian appeared to speak in favor of the proposed Resolution.

James Moon, Kenneth Little, Dr. James B. Knaak, Dr. Fred Andrews, Dick Feldman, F. M. Phillips, Doug Huffman, Jack Wick, Peter Millenaar, and Alan Shapiro appeared to speak in opposition to the proposed Resolution.

The Council discussed the Item at length.

The vote was then taken on Councilwoman O'Connor's motion to file, which failed for lack of five affirmative votes, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, and Mayor Wilson. Nays-Councilmen Williams, Morrow, and Bates. Absent-Councilmen Martinet and Ellis.

The motion of Councilman Hubbard to continue the proposed Resolution two weeks to May 30, 1974 for a full Council, received no vote at this time.

The Council continued to discuss the Item.

Councilman Hubbard withdrew his motion to continue the proposed Resolution to May 30, 1974.

The motion of Councilman Bates to continue the matter in order to evaluate the manner in which the spraying was being conducted and to evaluate the effectivity of the spraying, together with a point by point response to questions raised, died for lack of a second.

Mayor Wilson invited the submittal of written questions to Mr. Little, and at the suggestion of Assistant City Attorney Teaze put a time limit of six weeks, or on or before July 4, 1974 on submittal of the questions.

Marion Bear appeared to suggest that questions also be submitted to the Quality of Life Board.

On motion of Councilman Bates, the proposed Resolution was continued three months to August 22, 1974 for the purpose of allowing the Department of Agriculture and the Quality of Life Board to answer questions submitted by all interested parties, by the following vote: Yeas-Councilmen Hubbard, Williams, Morrow, Bates, and Mayor Wilson. Nays-Councilmen Johnson and O'Connor. Absent-Councilmen Martinet and Ellis.

(Item 110)

A proposed Ordinance, continued from the Meetings of April 18 and May 2, 1974 for City Manager Report and recommendations, changing the speed limit on the uphill stretch of Torrey Pines Road between La Jolla Shores Drive and Prospect Street, was presented.

City Manager Moore answered questions directed by the Council.

The motion of Councilman Johnson to introduce the proposed Ordinance, setting the speed limit at 35 miles per hour, received no vote at this time.

William Garth appeared to speak in favor of the proposed Resolution.

(Item 110 - Continued)

The vote was then taken on Councilman Johnson's motion to introduce the proposed Ordinance, setting the speed limit at 35 miles per hour, and the following Ordinance changing the speed limit on the uphill stretch of Torrey Pines Road between La Jolla Shores Drive and Prospect Street, was introduced by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Martinet and Ellis.

(Item 111)

A proposed Ordinance, amending Chapter VI, Article 2, Division 4, of the San Diego Municipal Code by amending Sections 62.0410, 62.0414 and 62.0417, and by adding Section 62.0416.5 all relating to land development, was presented.

Scott Harvey appeared to speak regarding the proposed Ordinance.

City Manager Moore answered questions directed by the Council.

On motion of Councilman Bates, the proposed Ordinance was continued two weeks to May 30, 1974 to allow for a report from the Transportation and Land Use Committee on the letter from the Construction Industry Coordinating Council.

(Item 112)

A proposed Ordinance, amending Ordinance No. 11199 (New Series), by amending Sections 1, 2, 4 and 6 to change the parking time limits in specified areas from one hour to two hours, was introduced on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Martinet and Ellis.

(Item 113)

A proposed Ordinance, amending Chapter II, Article 4, of the San Diego Municipal Code by amending Section 24.0105 relating to the Retirement System, was introduced on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Martinet and Ellis.

(Item 115)

A proposed Resolution, continued from the Meeting of May 9, 1974, for City Manager's Report, endorsing Proposition W on June 4, 1974 ballot as the soundest and most equitable way to finance our water supply, was presented.

Roy Lessard, Hans Doe, and L. R. Burzell appeared to speak regarding the proposed Resolution.

The motion of Councilwoman O'Connor to adopt the proposed Resolution failed for lack of five affirmative votes, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, and Mayor Wilson. Nays-Councilmen Williams, Morrow, and Bates. Absent-Councilmen Martinet and Ellis.

(Item 116)

The following Resolutions, relative to awarding a contract for the purchase of miscellaneous parts for Jeffrey Primary Sludge Collectors, were adopted on motion of Councilman Bates:

RESOLUTION 210629, Cal-Standard Supply and Moline Corporation for a total estimated cost including tax and terms of \$44,191.99; authorizing the City Auditor to transfer \$47,191.99 within the Sewer Revenue Fund 506 from the Unallocated Reserve (68.91-3495) to Metropolitan Point Loma Treatment Plant (62.50-2613, \$3,000 - 3310 \$44,191.99) for the purchase of material for the repairs to Sedimentation Basins Nos. 1 and 2; and

RESOLUTION 210630, authorizing the use of City Forces to do all the work to repair Sedimentation Basins Nos. 1 and 2 in connection with purchase of miscellaneous parts for Jeffrey Primary Sludge Collectors; said work not to exceed \$18,000.

(Item 117)

The following Resolutions, relative to Quivira Basin Aquatics Control Center, were adopted on motion of Councilwoman O'Connor:

RESOLUTION 210631, accepting the generous donation from Mr. Bill Walker, owner of Cal-Western Electronics, of a VHF marine radio; commending Mr. Bill Walker for this act of civic generosity and publicly expressing a debt of gratitude to him; and

RESOLUTION 210632, authorizing the use of City Forces to do all necessary work in conjunction with the installation of a VHF marine radio for Quivira Basin Aquatics Control Center at an estimated cost of \$645.

(Item 118)

RESOLUTION 210633, declaring the City Council's opposition to Senate Bill 1988, a proposal to establish a 200-mile fishery zone, was adopted on motion of Councilman Bates.

(Item 119)

RESOLUTION 210634, supporting the investigation by the Public Utilities Commission and asking that the Public Utilities Commission take necessary steps to assure that small business and low income users' rates not be adversely affected by reason of interconnection of customer provided devices, was adopted on motion of Councilman Bates.

(Item 120)

RESOLUTION 210635, declaring support of Proposition "A" appearing on the June 4, 1974 ballot as a desirable local option for funding a multi-modal transportation system for the San Diego region, and urging all citizens of the City to vote for said Proposition "A", was adopted on motion of Councilman Bates.

(Item 121)

A proposed Resolution, urging the electorate of the State of California, to vote in favor of the passage of Proposition 9, the Financial Disclosure Law, on the June 4, 1974 ballot, was presented.

On motion of Councilman Bates, the proposed Resolution was amended by interlineation to change the name of the act to "Political Reform Act", and the following Resolution was adopted, as amended.

RESOLUTION 210636, urging the electorate of the State of California to vote in favor of the passage of Proposition 9, being the Political Reform Act, on the June 4, 1974 ballot.

(Item 122)

RESOLUTION 210637, amending Council Policy 600-12 entitled "Street Names"; rescinding Resolution 169951, adopted March 15, 1962, was adopted on motion of Councilman Bates.

(Item 123)

RESOLUTION 210638, establishing a parking time limit of two hours, between the hours of 8:00 a.m. and 6:00 p.m., Sundays and holidays included on Blackgold Road, Brookmead Lane, Idlehour Lane, Greentree Lane, La Jolla Farms Road, and Crown Crest Lane, both sides for their entire length; rescinding Resolution 208175, adopted on June 19, 1973, was adopted on motion of Councilman Johnson.

(Item 1 - Supplemental Docket)

RESOLUTION 210639, authorizing the City Manager to notify the County Board of Supervisors that it is the recommendation of this Council that from the funds allocated to the urbanized area of San Diego County under the Federal Aid Urban Program in each of the fiscal years 1974-75 and 1975-76, the following proportions be available for the funding of "Transit Projects" as defined by the Federal Aid Highway Act of 1973; (a) 25% for fiscal year 1974-75; and (b) 50% for fiscal year 1975-76, was adopted on motion of Councilman Bates.

The Council discussed Item 207 of the Referral Agenda.

Councilman Morrow asked for a ruling from the City Attorney's office as to whether this item could be heard at the time set on the docket.

By common consent, the Council approved the Referral Agenda, which consisted of Items 200, 201, 202, 203, 204, 205, 206, 207, 208, and 209.



There being no further business to come before the Council at this time,  
the Regular Meeting was adjourned on motion of Councilman Bates, at 7:55 p.m.

*Pete Wilson*

Mayor of The City of San Diego, California

ATTEST:

*Edward Wilson*

City Clerk of The City of San Diego, California